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10 Attorneys for Plaintiff
11 Paul D. Cole

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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 PAUL D. COLE

Case No. CV03-05643 EMC

18 Plaintiff,

**STIPULATION FOR DISMISSAL OF ENTIRE
ACTION; ORDER**

19 v.

20 CITY OF EMERYVILLE, OFFICER
21 EDWARD MAYORGA, OFFICER ROBERT
22 ALTON

Judge: Hon. Edward M. Chen,
Magistrate Judge

23 Defendants.

24 Pursuant to Federal Rule of Civil Procedure 41(a), the parties, by and through their
25 undersigned counsel of record, hereby stipulate that the above-captioned matter is dismissed with
26 prejudice in its entirety pursuant to a settlement agreement between the parties. Each party shall
27 bear its own costs and attorneys' fees.

28 EXECUTED this 27th day of October, 2005.

29 STIPULATED AND AGREED:

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1 Dated: October 27, 2005

COOLEY GODWARD LLP

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By: /s/ Robert W. McHenry

Robert W. McHenry

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Attorneys for Plaintiff
Paul D. Cole

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Dated: October 27, 2005

LOW, BALL & LYNCH

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By: /s/ Dale L. Allen, Jr. (w/ permission)
Dale L. Allen, Jr.

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Attorneys for Defendants City of Emeryville,
Officer Edward Mayorga, Officer Robert Alton

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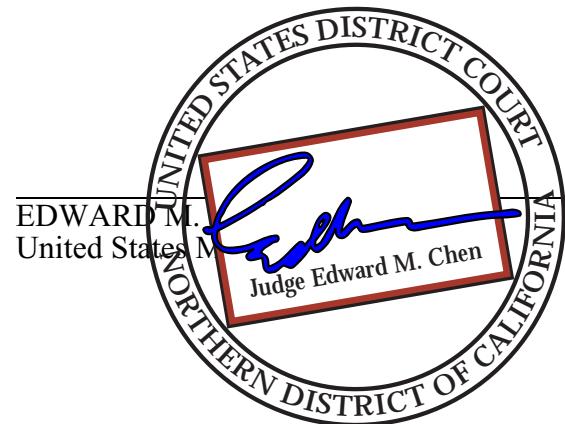
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IT IS SO ORDERED:

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Dated: October 31, 2005



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